



THE AGUILERA LAW GROUP, APLC

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Attorneys for Plaintiff and Counterdefendant TRAVELERS PROPERTY
CASUALTY COMPANY OF AMERICA, a Connecticut corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA, a
Connecticut corporation,

Plaintiff,

v.

TAYLOR MORRISON OF
CALIFORNIA LLC, a California
limited liability corporation, as
successor-in-interest to Taylor Woodrow
Homes, Inc.; TAYLOR MORRISON
SERVICES, INC., a California
corporation; ARCH INSURANCE
GROUP, a Missouri corporation; ARCH
SPECIALTY INSURANCE
COMPANY, a Nebraska corporation;
AMERICAN SAFETY INDEMNITY
COMPANY, an Oklahoma corporation;
HUDSON INSURANCE COMPANY, a
Delaware corporation, QBE
INSURANCE CORPORATION, a
Pennsylvania corporation; FIRST
SPECIALTY INSURANCE
CORPORATION, a Missouri
corporation; UNITED SPECIALTY
INSURANCE COMPANY, a Delaware
corporation and DOES 1 through 10
inclusive,

Defendants.

Case No. 5:12-cv-04204-EJD-HRL
Hon. Edward J. Davila

**STIPULATION TO VOLUNTARILY
DISMISS DEFENDANT ARCH
INSURANCE COMPANY UNDER
FRCP RULE 41(a)(1)**

1 TAYLOR MORRISON OF
2 CALIFORNIA, LLC, a California
3 Limited Liability company; TAYLOR
4 MORRISON SERVICES, INC., a
5 California corporation,
6
7 Counterclaimants,
8
9 v.
10
11 TRAVELERS PROPERTY CASUALTY
12 COMPANY OF AMERICA, a
13 Connecticut corporation,
14
15 Counterdefendant.

16
17
18 **WHEREAS**, Plaintiff Travelers Property Casualty Company of America
19 (“Travelers”) and Defendants Taylor Morrison of California LLC, Taylor Morrison
20 Services, Inc. (collectively “Taylor Morrison”) have reached a settlement with
21 Defendant Arch Insurance Company (“Arch”);

22
23 **WHEREAS**, Plaintiff Travelers and Taylor Morrison wish to dismiss, with
24 prejudice, defendant Arch from the present action.

25
26 **IT IS HEREBY STIPULATED** by and between Travelers and the remaining
27 defendants who have appeared in this action, by and through their designated counsel,
28 that defendant Arch is hereby dismissed with prejudice pursuant to FRCP 41(a)(1).
Travelers and Arch further agrees to waive any claim for costs they might have
against each other associated with the present action.

Dated: August 11, 2014

THE AGUILERA LAW GROUP APLC

By: /s/ Kimberly R. Arnal

A. Eric Aguilera
Kimberly R. Arnal

Attorneys for Plaintiff Travelers Property
Casualty Company of America

1 Dated: August 11, 2014

COX, CASTLE & NICHOLSON LLP

2
3 By: Patrick Michael McGovern

4 Patrick Michael McGovern

5 Attorneys for Defendant/Counter-

6 Claimant Taylor Morrison of California LLC

7 Dated: August 11, 2014

SELMAN BREITMAN

8 By: Gregory J. Newman

9 Gregory J. Newman

10 Attorneys for Defendant Arch Specialty

11 Insurance Company; Arch Insurance

12 Company

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 700 S. Flower St., Ste. 3350, Los Angeles, California 90017. On August 11, 2014, I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED: **STIPULATION TO VOLUNTARILY DISMISS
DEFENDANT ARCH INSURANCE COMPANY
UNDER FRCP RULE 41(a)(1)**

☐ **BY U.S. MAIL**

☐ *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage date is more than 1 day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC SERVICE VIA ECF** I transmitted a true copy of the above entitled document(s) to CM/ECF for filing and service on all parties.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 11, 2014 at Los Angeles, California.

/s/ Judy Jaramillo

Judy Jaramillo